

REMARKS/ARGUMENTS

This communication is in response to the Office Action issued on May 26, 2009. The Applicants would like to thank the Examiner for the telephonic interview conducted on October 22, 2009. In that interview the Examiner and Applicant's representative discussed the Nakagawa references cited and independent claim 1. The Applicants have amended claims 1, 3, 4, 11, 13, 14, 21, 23 and 24. No new matter has been added. Claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27 and 30 are now pending in this application.

The Examiner rejected claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27 and 30 under 35 U.S.C. §103(a) as being unpatentable over Reed (U.S. Patent No. 6,263,209) in view of Nakagawa et al. (U.S. Patent No. 7,266,376). In the Interview the Examiner and the Applicant's Representative discussed element c recited in the current listing of claims for claims 1, 11 and 21. In response, the Applicants have amended claims 1, 11, and 21 to clarify that the amount of time between when an evaluation of whether a condition is satisfied and a next location/position information reading is performed varies based on information for a mobile user. This is reflected in the recitation of the feature "calculating an event time and waiting until the event time has elapsed before repeating steps a) - c) when the at least one condition is not satisfied, wherein the calculation of the event time is based on estimating a time at which the mobile user is likely to satisfy a condition based on at least one of: a distance from the indicated current location of the mobile user to a region relevant to the condition, and a velocity of the mobile user" recited in each of the independent claims 1, 11, and 21.

Reed discloses a wireless communication system capable of determining a current

location and time of a user and, and, if the location and/or time matches a stored location and/or time, an alert is transmitted to the user. If there is no match, a predetermined amount of time is allowed elapse before the system performs another comparison of the location and/or time of the user and the stored location and/or time. In particular, Reed discloses that portable subscriber units carried by users conduct communications with the fixed portions of the wireless communication system, the communications including attribute information. The attributes of the portable subscriber units are recorded and stored. A determination is made by a portable subscriber unit in cooperation with the fixed portion, of the current time of day and the current location of the portable subscriber unit, through well-known techniques, such as GPS techniques or transmitter identification codes. Then a comparison is made by the portable subscriber unit between the attribute, the current time of day, and the current position of the user to determine whether an alert is necessary. If the alert is found to be necessary, the portable subscriber unit then generates the alert. If not, the portable subscriber unit waits for a **predetermined time**, and then returns to obtain location information and make another comparison. Reed fails to disclose “calculating an event time and waiting until the event time has elapsed before repeating steps a) - c) when the at least one condition is not satisfied, wherein the calculation of the event time is based on estimating a time at which the mobile user is likely to satisfy a condition based on at least one of: a distance from the indicated current location of the mobile user to a region relevant to the condition, and a velocity of the mobile user.” Thus, Reed fails to teach or suggest the invention of claims 1, 11 and 21.

Nakagawa fails to cure the deficiencies of Reed. Like Reed, Nakagawa obtains new position information (see S118 and S120) at a predetermined interval after an evaluation of whether a

condition is satisfied (see S112 and S114). Accordingly, the combination of Reed and Nakagawa, either alone or in combination, fails to teach or suggest the invention of claims 1, 11, and 21.

Claims that depend on claims 1, 11 and 21, respectively, are also not taught for the reasons set forth with respect to claims 1, 11 and 21.

Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested. Applicants invite the Examiner to contact the undersigned attorney to discuss any remaining issues. Please charge any required fee to Hanify & King, P.C. Deposit Account No. 50-4545, Order No. 5231-047-US01.

Respectfully Submitted,

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